

1
2
3
4
5
6 ALBERT LAVOY ADAMS,
7 Plaintiff,
8 v.
9 CORIZON MEDICAL,
10 Defendant.
11

12 Case No. [16-cv-01298-DMR](#) (PR)
13

14 **ORDER OF DISMISSAL WITHOUT
15 PREJUDICE**

16 Plaintiff filed the present *pro se* prisoner complaint under 42 U.S.C. § 1983. On April 8,
17 2016, mail directed to Plaintiff was returned to the Clerk of the Court with a notation that it was
18 undeliverable because Plaintiff was “not in custody.” Dkt. 5. On May 6, 2016, mail directed to
Plaintiff was once again returned to the Clerk as undeliverable. Dkt. 6. To date, Plaintiff has not
updated his address with the Court or submitted any further pleadings in this case.

19 Plaintiff has consented to magistrate judge jurisdiction, and this matter has been assigned
20 to the undersigned Magistrate Judge. Dkt. 1 at 4.

21 Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* whose address
22 changes while an action is pending must promptly file a notice of change of address specifying the
23 new address. *See* L.R. 3-11(a). The Court may dismiss without prejudice a complaint when:
24 (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable,
25 and (2) the Court fails to receive within sixty days of this return a written communication from the
26 *pro se* party indicating a current address. *See* L.R. 3-11(b).

27 More than sixty days have passed since the mail directed to Plaintiff by the Court was
28 returned as undeliverable. The Court has not received a notice from Plaintiff of a new address.

1 Accordingly, the complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the
2 Northern District Local Rules. The Clerk shall enter judgment, terminate all pending motions, and
3 close the file.

4 IT IS SO ORDERED.

5 Dated: 6/8/2016

6 
7 DONNA M. RYU
United States Magistrate Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California